

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Abdul Malik, et al

United States Application No.: 09/763,419

International Application No.: PCT/US99/19113

International Filing Date: 20 August 1999

For: CAPILLARY COLUMN AND METHOD OF MAKING

Attorney Docket No.: 0152.00396

**RESPONSE TO NOTIFICATION OF A DEFECTIVE  
OATH OR DECLARATION**

Box: PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed herewith is the following:

1. Fully executed Declaration and Power of Attorney for Patent Application;
2. Our check in the amount of \$65.00 in payment of the required surcharge.

07/24/2001 MNGUYEN 00000056 09763419

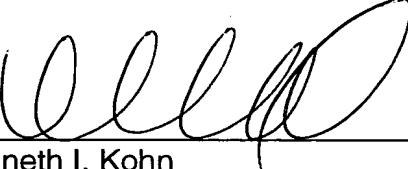
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Please charge our Deposit Account No. 11-1449 for any additional fees or credit our account for any overpayment.

Respectfully submitted,

KOHN & ASSOCIATES

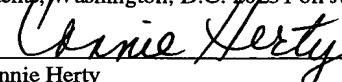


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Dated: July 19, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" addressed to the Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 on July 19, 2001.

  
Connie Herty

19 JUL 2001



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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/763419	MALIK	A 0152.00396
INTERNATIONAL APPLICATION NO.		
PCT/US99/19113		
I.A. FILING DATE		PRIORITY DATE
20 AUG 99		21 AUG 98

DATE MAILED: 20 MAR 2001

## NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1.  is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2.  does not identify the specification to which it is directed.
3.  does not identify the inventor(s).
4.  does not identify the citizenship of each inventor.
5.  does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1.  does not identify the city and state or city and foreign country of residence of each inventor.
2.  does not state that the person making the oath or declaration:
  - a.  has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b.  acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3.  does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4.  does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

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